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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,182	11/20/2003	Roger N. Wurtele	20707.001	9319
20786	7590	06/17/2005		EXAMINER
KING & SPALDING LLP 191 PEACHTREE STREET, N.E. 45TH FLOOR ATLANTA, GA 30303-1763			MOHANDESI, IRAJ A	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/718,182	WURTELE, ROGER N.
	Examiner	Art Unit
	Iraj A. Mohandes	2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 May 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-60 is/are pending in the application.  
 4a) Of the above claim(s) 31-50 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-30 and 51-60 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/18/04-04/18/05</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, filed 05/19/2005, with respect to Request for Reconsideration of the Election of Restriction requirement have been fully considered and are persuasive.

Group I: Claims 1-30 and 51-60 drawn to a power unit with internal combustion engine.

Group II: Claims 31-50 drawn to control means for controlling the distribution of the AC and DC voltage and harness means.

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 04/18 and 10/18 of 2004.

The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the Examiner is considering the information disclosure statement.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it

pertains, or with which it is most nearly connected, to make and/or use the invention.  
Such as a DC generator without commutator or a converting circuit .

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-31 and 51-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson US patent 5,899,174 in view of Christopher US patent 4,831,277.

Regarding claim 1 ,Anderson US patent 5,899,174 discloses a power system powered by an internal combustion engine (1 ), comprising: an enclosure for housing (7) and supporting the auxiliary power unit on the transport vehicle ( column 1,line 5) an air-cooled engine having an output shaft (9) and enclosed wilting the enclosure with and directly driving an air-cooled, brushless generator (3)having an armature shaft wherein the air-cooled engine (50,100) utilizes fuel supply, exhaust and electrical systems of the transport vehicle engine and the generator and first and second air duct systems within the enclosure for separately conveying cooling air into and through the air-cooled engine and the generator respectively (see inlet 11, 17, and 13 and duct 23 ), to exit through first and second respective air outlet ducts from the enclosure, wherein cooling

inlet air is drawn into the first and second air duct systems by respective direct drive fan ( see 15 ) means integrated respectively in the air-cooled engine and in the generator. Anderson US patent 5,899,174 teaches all limitation of claimed invention except for ,a generator generating AC an DC voltage.

Christopher US patent 4,831,277 discloses a generator having Ac and DC voltage output (see abstract).

Regarding claims 2,3,14,15,17,18,29 and 30 Christopher US patent 4,831,277 disclosing a power generating system teaching all limitation in claims 2-30 such as '

A direct coupling of the output shaft to the generator without belt or chain (see Fig. 1 and 2 ).

A brush less generator (alternator) see column 2 line 36.

A diesel engine (see column 2 line 24).

A single cylinder (see Fig. 1).

Regarding claims 4-13 and 19-28 Anderson US patent 5,899,174 discloses a power system powered by an internal combustion engine (1 ), comprising: an enclosure for housing (7) having a frame (28) and a plurality of rigid panels (43,63,59) ,at least one air inlet opening (13) and at least a second one of the plurality of rigid panels includes at least one air outlet opening (17),a third panels includes at least a first air outlet opening ( 61) at least a second air outlet opening from a second outlet duct from the generator (67).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A. Mohandes who whose telephone number is 571-272-2028. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IM May 24, 2005

  
DARREN SCHUBERG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800